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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

HEATHER BOONE and ROXANNE  
RIVERA, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

CRISTIAN BARRERA, individually,

Plaintiff,

v.

AMAZON.COM SERVICES, LLC,

Defendant.

Case No. 1:21-CV-00241-NODJ-BAM – LEAD  
Case No. 1:22-CV-00146-NODJ-BAM-MEMBER

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

The Motion for Preliminary Approval of Class Action Settlement ("Motion") filed by  
Plaintiffs Boone, Rivera, and Barrera ("Plaintiffs") came for a hearing before this Court on

1. After consideration of all the papers filed in connection therewith, the arguments of counsel, and all other matters presented to the Court, the Court hereby makes a preliminary finding that the proposed class action settlement is fair, reasonable, adequate and in the best interests of the Class. Good cause appearing therefore, the Court **GRANTS** the Joint Motion and **ORDERS** as follows:

1. The terms of the settlement agreement reached by Plaintiffs and Defendant, as set forth in the Settlement Agreement filed by the Parties are hereby preliminarily approved as being fair, reasonable and adequate to the members of the Class, subject to further consideration at the final approval hearing after the distribution of the Notice to the members of the Class as provided in this Order.

2. For the purposes of settlement, the Court hereby GRANTS class certification under Rule 23 on behalf of the following individuals: “all current and former non-exempt employees of Amazon.com Services, LLC in California who underwent one or more COVID-19 temperature screenings from April 1, 2020 through July 17, 2021 for those who did not work at the facility known as OAK4 in Tracy, California, and from April 1, 2020 through February 23, 2022 for those who worked at the facility known as OAK4 in Tracy, California.” (the “Class Members”).

3. Don Foty and David Hodges of Hodges & Foty, LLP have been appointed as counsel for the Class.

4. Plaintiffs Heather Boone and Roxanne Rivera have been appointed as representatives of the Class (“Class Representatives”).

5. The form of “Notice of Class Action Settlement” (“Notice”) as attached to the Settlement Agreement as Exhibit A, is hereby approved.

6. The Court authorizes the sending of the Notice to the Class Members by email or first class mail to their last known email addresses or mailing addresses within 30 calendar days of receipt of the information to send the Notice from Defendant. Defendant shall provide the

1 Settlement Administrator with the information necessary to conduct this email/ mailing as set  
2 forth in the Settlement Agreement within 30 calendar days of the Preliminary Approval Date.

3 7. A hearing to consider and determine (i) whether the Settlement Agreement should  
4 be finally approved, (ii) whether Class Counsel's application for attorneys' fees and costs should  
5 be approved, and (iii) whether the application for Class Representative incentive awards should  
6 be approved, is hereby set for \_\_\_\_\_, 2024 at \_:\_ a.m. All other deadlines in the  
7 Action are hereby stayed pending the final approval hearing.

8 **IT IS SO ORDERED.**

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10 DATE \_\_\_\_\_

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12 BARBARA A. MCAULIFFE  
13 UNITED STATES MAGISTRATE JUDGE  
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